

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)
	)
	)
<b>Plaintiff,</b>	)
	)
	)
<b>vs.</b>	)
	)
	)
<b>\$22,000.00 IN UNITED STATES</b>	)
<b>CURRENCY,</b>	)
	)
	)
<b>Defendant,</b>	)
	)
	)
<b>JERRY CATO, II,</b>	)
	)
	)
<b>Claimant.</b>	)

**8:10-cv-00034-LSC-FG3**

**ORDER**

This matter is before the magistrate judge pursuant to 28 U.S.C. § 636 and the general order of referral on the Motion to Withdraw (#36) filed by Timothy L. Ashford, counsel for the Claimant. The motion was served on the Claimant, Jerry Cato, II, on July 12, 2010. Mr. Cato did not respond to the motion, and substitute counsel has not entered an appearance.

For good cause shown, the court finds that the motion should be granted, and Mr. Cato will be deemed to be proceeding without the assistance of counsel.

**IT IS ORDERED:**

1. Claimant, Jerry Cato, II, is deemed to be proceeding pro se, that is, without the assistance of counsel. Mr. Cato may retain substitute counsel at any time; however, until such time as substitute counsel enters a written appearance, Mr. Cato shall personally comply with all orders of this court, the Federal Rules of Civil Procedure, and the Local Rules of Practice. Failure to comply with these requirements may result in the imposition of sanctions against the Claimant, including payment of costs and attorney's fees and/or the striking of the claim and entry of default, pursuant to Rule 37 of the Federal Rules of Civil Procedure.

2. The parties shall prepare a proposed final pretrial conference order in accordance with NECivR 16.2. Mr. Cato shall cooperate in preparing the proposed final pretrial order. Plaintiff's counsel shall submit the proposed order to the undersigned magistrate judge by **August 25, 2010.**

3. The **Final Pretrial Conference** with the undersigned magistrate judge is set for **Friday, August 27, 2010, at 9:30 a.m.** in Courtroom No. 6, Second Floor, Roman L. Hruska United States Courthouse, Omaha, Nebraska. Claimant, Jerry Cato, II, shall personally attend the hearing.

4. **Trial (nonjury)** remains scheduled for **Tuesday, September 28, 2010 at 8:30 a.m.** before the Honorable Laurie Smith Camp, United States District Judge.

3. The Clerk shall amend the records of the court to show that Jerry Cato, II, is proceeding without the assistance of counsel and shall mail a copy of this order to Mr. Cato at his last known address.

**DATED August 3, 2010.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**